

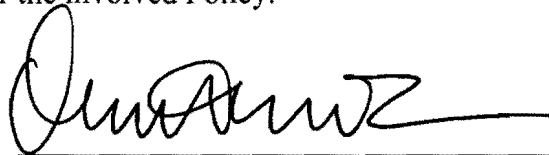
**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

PEERLESS INSURANCE COMPANY,)	
)	
Plaintiffs,)	
)	Civil Action No. 2:12-cv-1700
v.)	
)	Judge Mark R. Hornak
THE PENNSYLVANIA CYBER)	
CHARTER SCHOOL,)	
)	
Defendant.)	

ORDER

AND NOW, this 13th day of May, 2014, upon consideration of the parties' Motions for Summary Judgment [ECF Nos. 25 and 26], it is hereby ORDERED, ADJUDGED, and DECREED that Defendant's Motion [ECF No. 25] is GRANTED to the extent that the Plaintiff has a duty to defend the Defendant in the underlying Fayette County action based on the coverage of the relevant insurance policies. Defendant's Motion is DENIED without prejudice in all other respects. Plaintiff's Motion for Summary Judgment [ECF No. 26] is DENIED as to the duty to defend, and is DENIED without prejudice in all other respects.

It is further ORDERED that this case is hereby STAYED and administratively CLOSED pending the outcome of the underlying Fayette County lawsuit. The Court expressly retains jurisdiction of this matter and the parties to consider any matters arising from such resolution relative to the duty of indemnification under the involved Policy.



Mark R. Hornak
United States District Judge

cc: All counsel of record